

City Attorney's Office

21 MAY 18 AM 11:40

OAKLAND CITY COUNCIL

RESOLUTION NO. 88617 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE UP TO SEVEN HUNDRED THOUSAND DOLLARS (\$700,000.00) IN FISCAL YEAR (FY) 2021-22 STATE TRANSPORTATION DEVELOPMENT ACT, TDA, ARTICLE 3 FUNDS AS FOLLOWS: (1) EAST 20TH ST STAIRPATH REHABILITATION, ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000); (2) BURR, WILSON & PARKER STAIRPATH REHABILITATION, ONE HUNDRED THOUSAND DOLLARS (\$115,000); (3) FOOTHILL BLVD PEDESTRIAN SAFETY IMPROVEMENTS, THREE HUNDRED AND SIXTY HUNDRED DOLLARS (\$360,000); (4) CITYRACKS BICYCLE PARKING PROGRAM, SEVENTY FIVE THOUSAND DOLLARS (\$75,000); (2) AND ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code Section 99200 et seq. authorizes the submission of applications to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the City of Oakland desires to submit a request through Alameda County to MTC for the allocation of TDA Article 3 funds to support the projects described in the Agenda Report accompanying this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) have been satisfied; now, therefore be it

RESOLVED, that the City of Oakland declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; and be it

FURTHER RESOLVED, that there is no pending or threatened litigation that might adversely affect the projects described in **Exhibit A** to this resolution, or that might impair the ability of the City of Oakland to carry out the projects; and be it

FURTHER RESOLVED, that the proposed projects were reviewed by the City of Oakland's Bicyclist and Pedestrian Advisory Commission (BPAC) in the last three consecutive fiscal years, fulfilling the requirement for BPAC review stipulated by MTC Resolution No. 4108; and be it

FURTHER RESOLVED, that the proposed projects were reviewed on April 15, 2021 at the BPAC Committee via Zoom, and it be

FURTHER RESOLVED, that the City of Oakland attests to the accuracy of and approves the statements in Exhibit A to this resolution; and be it

FURTHER RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the Alameda County Public Works Agency as part of the countywide coordinated TDA Article 3 claim; and be it

FURTHER RESOLVED, that the projects are exempt from CEQA pursuant to CEQA Guidelines Sections 15060(c)(3) (not a project), 15061(b)(3) (not significant effect), and/or 15301(c) (existing facilities); and be it

FURTHER RESOLVED, that the City Council hereby authorizes the application, acceptance, and appropriation of Fiscal Year 2021-22 State TDA Article 3 funds in the amount not to exceed \$700,000.00 to be deposited and appropriated as follows: (1) East 20th Street Stairpath Rehabilitation, One Hundred and Fifty Thousand Dollars (\$150,000) – Project 1005720, Fund 2162, Organization 35219; (2) Burr, Wilson and Palmer Stair Path Rehabilitation Project, One Hundred and Fifteen Thousand Dollars (\$115,000) – Project 1004717, Fund 2162, Organization 35219; (3) Foothill Blvd Pedestrian Safety Improvements, Three Hundred and Sixty Thousand Dollars (\$360,000) – Project 1005163, Fund 2162, Organization 35216; (4) CityRacks Bicycle Parking Program, Seventy Five Thousand Dollars (\$75,000) – Project 1000982, Fund 2162, Organization 35245.

FURTHER RESOLVED, that the City Administrator, or their designee, is authorized on behalf of the City of Oakland to execute and submit all documents, payment requests, and related actions.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 0 4 2021

PASSED BY THE FOLLOWING VOTE:

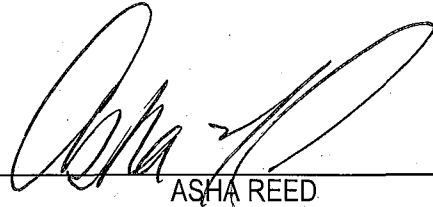
AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO, AND PRESIDENT FORTUNATO BAS - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED

City Clerk and Clerk of the Council of the
City of Oakland, California